

REMARKS

Claims 1-3, 5, 6 and 8-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Jou (U.S. Patent Number 6,389,000). Respectfully disagreeing with these rejections, reconsideration is requested by the applicants. Nonetheless, the applicants have amended independent claims 1, 5, 8 and 11 to more clearly highlight the patentability of the present invention over the prior art.

As amended, claims 1, 5, 8 and 11 specifically refer to quadrature amplitude modulation / demodulation. The Examiner asserts that QAM is interchangeable with QPSK. In general, the applicants do agree that QAM and QPSK can be said to be "interchangeable." However, they are different in an important way. In particular, the applicants point out that, unlike QPSK, higher order QAM has different symbol powers and that this characteristic gives rise the initial problem that the application addresses. The applicants refer the Examiner to the *Background* section of the application for a detailed explanation. Thus, the applicants submit that QAM is not simply interchangeable with QPSK in the context of the present application.

Since none of the references cited, either independently or in combination, teach all of the limitations of the independent claims, or therefore, all the limitations of their respective dependent claims, it is asserted that neither anticipation nor a *prima facie* case for obviousness has been shown. No remaining grounds for rejection or objection being given, the claims in their present form are asserted to be patentable over the prior art of record and in condition for allowance. Therefore, allowance and issuance of this case is earnestly solicited.

The Examiner is invited to contact the undersigned, if such communication would advance the prosecution of the present application. Lastly, please charge any additional fees (including extension of time fees) or credit overpayment to Deposit Account No. **502117 -- Motorola, Inc.**

Respectfully submitted,
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IN THE DRAWINGS

Replacement drawing sheets illustrating amended FIG. 1 are attached. FIG.1 has been amended to include a designation of prior art as requested by the Examiner.

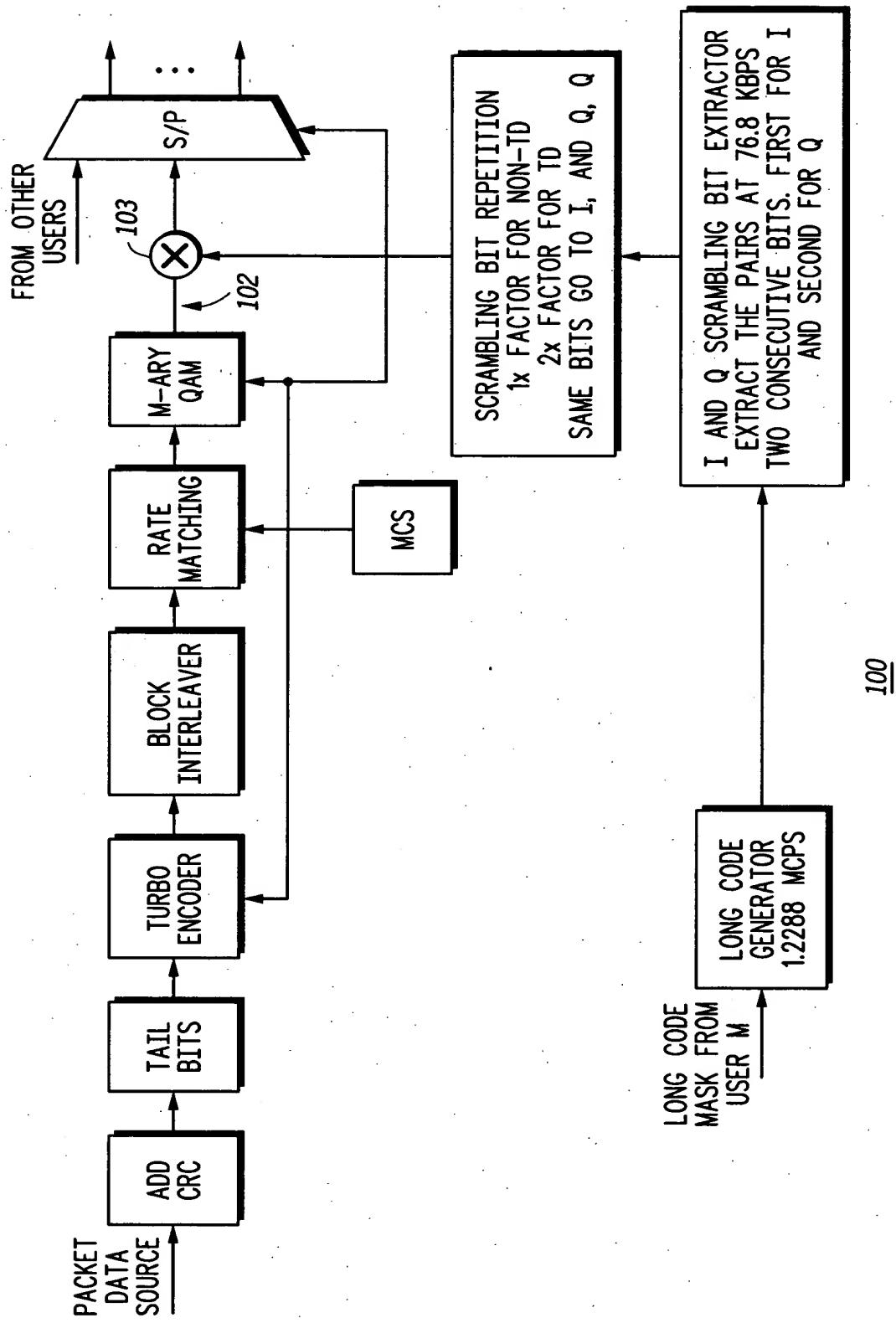


FIG.1 —PRIOR ART—